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## Fifth Committee

**Summary record of the 1st meeting**
Held at Headquarters, New York, on Thursday, 30 September 2004, at 10 a.m.

*Chairman*: Mr. MacKay ..... (New Zealand)
*Chairman of the Advisory Committee on Administrative and Budgetary Questions*: Mr. Kuznetsov

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*The meeting was called to order at 10.20 a.m.*

**Composition of the Bureau**

1. **The Chairman** recalled that, in accordance with the annex to General Assembly resolution 58/126, section B, paragraph 9, the Committee had elected its Bureau for the fifty-ninth session during the 52nd meeting of its previous session, on 10 June 2004. **Mr. Eljy** (Syrian Arab Republic), **Ms. Lock** (South Africa) and **Ms. Samayoa-Recarl** (Guatemala) were elected Vice-Chairmen, and **Ms. Hutanova** (Slovakia) was elected Rapporteur.

**Organization of work** (A/59/250 and A/59/252; A/C.5/59/1; A/C.5/59/L.1)

2. **The Chairman** invited the members of the Committee to consider the programme of work for the main part of the current session, as set forth in the informal paper circulated to delegations. He drew attention to document A/C.5/59/1, which listed the agenda items allocated to the Committee by the General Assembly, and to document A/C.5/59/L.1, which listed the documentation relating to those items. A revised list had been circulated informally to delegations and would be published under the symbol A/C.5/59/L.1/Rev.1.

3. In paragraph 3 (f) of the annex to resolution 58/316 of 1 July 2004, entitled "Further measures for the revitalization of the work of the General Assembly", the Assembly had decided that the newly elected Bureaux of the Main Committees would meet immediately after their election to discuss the organization and allocation of work. The Bureau had consequently met several times in the previous two months to assess the progress of documentation and to establish a programme of work, taking into consideration the presence in New York of the chairmen of the intergovernmental bodies involved and the views of regional groups.

4. He drew attention to the recommendations formulated by the Bureau of the General Assembly in document A/59/250, which the Assembly had adopted at its 2nd meeting, on 17 September 2004. The Committee should, inter alia, conclude its work by Friday, 10 December 2004, at the latest. The members should ensure that the meetings commenced on time; explanations of vote should be limited to 10 minutes, and points of order to five minutes. Efforts should be made to reduce the number of resolutions adopted. He recalled, in addition, that the Main Committees should merely take note of the reports of the Secretary-General or of subsidiary organs which did not require a decision by the Assembly, and that the Assembly had requested Member States to exercise restraint in making requests for new reports and instead to opt for integrated reports.

5. He invoked rule 153 of the rules of procedure of the General Assembly, regarding the statement of programme budget implications, and recalled that in paragraphs 12 and 13 of its decision 34/401, the General Assembly had urged each Main Committee to allow sufficient time for the Secretariat to prepare an estimate of expenditures arising from draft resolutions and for the Advisory Committee on Administrative and Budgetary Questions (ACABQ) to consider such estimates, and to take that requirement into account when adopting their programme of work. In addition, it should establish a mandatory deadline (not later than 1 December) for the submission to the Fifth Committee of all draft resolutions with financial implications. It should, furthermore, consider accepting without debate the recommendations of the Advisory Committee on the financial implications of draft resolutions up to a limit of $25,000 on any one item. A minimum of 48 hours should be allowed between the submission and the voting of a proposal involving expenditure in order to allow the Secretary-General to prepare and present the related statement of administrative and financial implications. Drawing attention to paragraph 43 of the Report of the General Committee (A/59/250), he said that in most cases, the time required for the Secretary-General to review the programme budget implications of proposals before the Assembly was more than 48 hours. He invited the representatives to ask their counterparts on the Main Committees promptly to conclude the consideration of draft resolutions having budget implications. He also drew attention to regulation 5.9 of the Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (PPBME Rules) of the General Assembly, which stipulated that no council, committee or other competent body should take a decision involving a change in the programme budget approved by the General Assembly or the possible requirement of expenditure unless it had received and taken account

of a report from the Secretary-General on the programme budget implications of the proposal.

6. He drew the attention of the Committee to General Assembly resolution 45/248 B of 21 December 1990, concerning the role and prerogatives of the Fifth Committee and the Advisory Committee on Administrative and Budgetary Questions, and to the provisions of paragraph 3, subparagraphs (a) and (b), of General Assembly resolution 58/316, on the rationalization of the agendas of the Main Committees and on the planning and preparation of documentation. Furthermore, in section II.B, paragraph 9, of its resolution 58/250, the General Assembly had requested the Secretary-General to review the list of bodies entitled to summary records, in full consultation with all relevant intergovernmental bodies, with a view to assessing the need for such records, and to explore the possibility of delivering them in a more efficient and effective manner. He suggested that the issue should be addressed at a later stage of the Committee's work.

7. A proposal had been made to hold two briefing meetings: the first, scheduled for Tuesday 5 October at 3 p.m., was to be conducted by the Office of Central Support Services; and the second, scheduled for Thursday 14 October at 3 p.m., would deal with issues relating to human resources management.

8. The Committee had a full programme of work. It would consider budget estimates for peacekeeping missions in time for their approval by the General Assembly before the end of October. It would also deal with the question of the safety and security of United Nations personnel. He therefore encouraged the members of the Committee to initiate without delay any consultations necessary to reach agreement, with a view to averting the cancellation of meetings and delays in carrying out the proposed programme of work. Constructive and flexible negotiations were more necessary than ever. It might be possible to postpone the consideration of some items until March 2005, not because they were less important than others, but simply because their consideration was less urgent.

9. Since many documents were still not available, the Committee might have to adjust its programme of work. In that regard, with respect to agenda item 119 (Review of the implementation of General Assembly resolutions 48/218 B and 54/244), he announced that the third section of the annual report of the Office of Internal Oversight Services, which was to be issued as document A/59/359, would not be ready before the end of October.

10. In conclusion, he said that it was sometimes impossible to review documents in full because of the sheer volume of reports to be considered, and that the resources used in the process could have been put to better use in the implementation of General Assembly decisions. During negotiations on draft resolutions, members should bear that point in mind and request only essential reports from the Secretariat.

11. **Mr. Elkhuizen** (Netherlands), speaking on behalf of the European Union, the candidate countries (Bulgaria, Croatia, Romania and Turkey), the stabilization and association process countries (Albania, Bosnia and Herzegovina, Serbia and Montenegro, and the former Yugoslav Republic of Macedonia), and, in addition, Iceland, Liechtenstein and Norway, said that the work programme for the main part of the fifty-ninth session of the General Assembly was particularly heavy and involved crucial issues pertaining to the consolidation of the reform, human resources management, reform of the Joint Inspection Unit, the strategic framework and budget outline for the period 2006-2007, financing of the capital master plan, financing of peacekeeping operations and security of United Nations staff and premises. The European Union believed that the Committee could contribute to the strengthening of the Organization by taking forward-looking decisions and, to that end, would work actively with other Member States. However, the late availability of documentation was preventing delegations from adequately preparing their work. Accordingly, the European Union, while mindful that delays in the issuing of documents were partly due to the increase in the number of reports requested, invited the Secretariat to explain the reasons for the ever-worsening situation.

12. With regard to the programme of work, the European Union preferred to wait until the documents were ready before taking up agenda item 119.

13. The European Union welcomed the adoption by the General Committee of a general uniform approach whereby all the Main Committees would take Ramadan into consideration in the organization of their work. It believed, however, that it was equally important for the Committee to complete its work by 10 December 2004, the deadline set by the General Committee. To that end, delegations must be punctual, deliver statements

that were brief and to the point, and make maximum use of the time allocated to them.

14. **Mr. Al-Ansari** (Qatar), speaking on behalf of the Group of 77 and China, said that he was deeply concerned about the late issuance of documentation. That chronic situation hampered the ability of the General Assembly to effectively consider important issues before it. Drastic action should be taken to ensure that the Secretariat complied with the ten-week rule applicable to the submission of reports by the authoring departments and the six-week rule applicable to their issuance and to establish clear responsibilities. Representatives of the authoring departments and of the Department for General Assembly and Conference Management should attend the 2nd meeting of the Committee to explain the reasons for that situation, which had become worse than ever.

15. The Group of 77 and China would have preferred the Committee to postpone its work for a period of two weeks in order to allow for the issuance of documentation. However, given the fact that the Committee wished to conclude as soon as possible the consideration of agenda items 108, 113, 129, 136, 153, 154 and 155, the Group was willing to adopt a two-week programme of work relating to those agenda items. The programme of work for the remainder of the session would be reconsidered as soon as possible on the understanding that the Secretariat would make every possible effort to expedite the issuance of documents and would report to the Committee in that regard. The Group of 77 and China was ready to engage in the work of the Committee in a spirit of cooperation and understanding.

16. **Mr. Golovinov** (Russian Federation) noted that the Committee's programme of work was particularly heavy and welcomed the efforts made to organize the session as effectively as possible, while regretting that the late issuance of documentation once again threatened to frustrate delegations' work. He feared that the Committee might have to work in the evenings, as a result. His delegation saw no objection to the programme of work, except that the delegations must be willing to adjust the programme in line with the progress of negotiations, in which the Russian Federation intended to participate in a constructive manner and in a spirit of cooperation.

17. **Mr. Mazumdar** (India) said that the accumulated delays in the issuance of documentation was particularly unacceptable because a number of measures had already been taken to address the situation. It was clear to Member States that it was still difficult to determine who was responsible for the delays and that the authoring departments and the Department of General Assembly and Conference Management (DGACM) were laying the blame at each other's door. He agreed with the delegation of Qatar that it was time for the General Assembly to act, and he would be grateful if representatives of the authoring departments and of DGACM could explain to the Committee the reasons for the late issuance of documents. It was his intention to propose a number of corrective measures to the Committee, in consultation with other delegations. The programme of work proposed was certainly not ideal, but in view of the difficulties faced by the Bureau in preparing it, his delegation was generally happy with its content.

18. **Mr. Dutton** (Australia), also speaking on behalf of Canada, regretted the delays in the appearance of documentation and hoped that measures would be taken to prevent a recurrence of the situation. The programme of work was extremely full, as the Committee would be considering questions relating to peacekeeping operations, human resources management, the United Nations common system, the safety of personnel, the financing of the international criminal courts and the regular budget. It was therefore essential to reach compromises before the end of the session, to take prompt action on items that could already be decided, and to defer the consideration of other questions until the resumed session in March.

19. Like the European Union, his delegation believed that it would be better to defer consideration of agenda item 119 since the report of the Office of Internal Oversight Services (OIOS) was not yet available. With respect to the rest of the programme of work, it would seem wise to give priority to those agenda items for which the documents had already been issued, in order to make the best use of the resources allocated to the Committee. He also supported the proposals made by the delegation of Qatar and agreed with the view that the Bureau would need to adjust the programme of work as the session progressed.

20. **Mr. Park** Yoon-June (Republic of Korea) said that his delegation wished to associate itself with the position of the Group of 77 and China regarding the late issuance of documentation, which it also felt was a

problem. He added that all delegations should demonstrate flexibility during the session.

21. **Mr. Repasch** (United States of America) noted that the programme of work was full and said that his delegation joined other delegations in expressing concern about the late issuance of documentation. While trusting that the Committee would have enough room for manoeuvre to organize its work in accordance with the documentation available, he pointed out that Member States were also responsible for the situation, because they had requested the issuance of a record number of documents. In future, care should be taken to request documents on essential questions only.

22. It was too early to consider agenda item 119, since the report containing the recommendations of the Secretariat on the strengthening and reorganization of the OIOS had not yet been issued.

23. **The Chairman** took note of the delegations' concern at the late issuance of documentation and said that he would ensure that members of the Secretariat attended the next meeting, in order to answer the questions raised in that regard. He also took note of the doubts expressed about the appropriateness of considering agenda item 119 before the OIOS report was made available. The state of issuance of documentation was such that the Committee would be hard pressed to make the best use of the meeting times allocated to it during the first two weeks of the session.

24. The Bureau would take another look at the programme of work in order to take account of the observations of the delegations and would submit to them proposals for adoption at the next meeting. He suggested that the deadline for the submission of candidacies to fill vacancies in subsidiary organs and other appointments (agenda item 17) should be set at Friday, 15 October 2004.

25. **Mr. Kramer** (Canada) was confused by the symbol given to the document concerning the Cameroon-Nigeria Mixed Commission, which seemed to refer to a document of the fifty-eighth session, and wondered whether the document was in fact new.

26. **Mr. Abelian** (Secretary of the Committee) said that the document submitted under agenda item 108 was a new document, on audited spending forecasts, and that he would inform the Commission of the document symbol as soon as possible.

27. **Ms. Udo** (Nigeria), returning to the question of document A/58/886 concerning the Cameroon-Nigeria Mixed Commission, asked whether it was a new document, or whether the document number was wrong.

28. **Mr. Abelian** (Secretary of the Committee) said that there had been a printing error, which would be rectified when document A/C.5/59/L.1/Rev.1 was issued.

*The meeting rose at 11.35 a.m.*